

IN THE DRAWINGS

Please replace the drawing FIG. 3 with the drawing sheet labeled FIG. 3A-3F attached herewith as a separate page.

Please add drawings FIG. 4A-B and FIG. 5A-B, attached herewith on two drawing sheets as new drawings. Support for the new figures is found in the priority documents which are incorporated by reference in the specification of the present application.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

During a discussion (December 13, 2005) with the Examiner, Applicants' U.S. representative presented arguments that the specification as originally filed provides full support for an embodiment of the invention wherein an optical recording medium has both concaves and convexes.

Support that the application as originally filed contains a description of the claimed invention is found, *inter alia*, in the priority documents JP 2000-127516 and JP 2000-189192 which are both incorporated by reference in the present specification on page 25, lines 16-19. Applicants submit herewith a certified partial English translation of JP-A-2002-008273 which corresponds to JP 2000-189192 (a copy of the first page of the JP 2000-008273 publication obtained from the JPO website is attached as confirmation that JP-A-2002-008273 corresponds to JP 2000-189192). Paragraphs [0011] and [0012] of the certified partial English translation prove that the specification as originally filed includes embodiments where both concaves and convexes may be present in the optical recording medium, e.g., the inventions includes "[a] first aspect of the invention is that a pattern by concaves and/or convexes is formed on the surface of the print-receiving layer which is an outermost layer-forming surface."

Further support that the specification as originally filed discloses an optical recording medium having a pattern with concaves and convexes is found on page 18, lines 9-20 where the following is stated:

For example, as mentioned hereinafter, in a case of forming a concave/convex pattern on the surface of the print-receiving layer by combination of the subsidiary layer and the print-receiving layer, it is preferred that an ultraviolet-curing resin composition for formation of the subsidiary layer is formed on the reflective layer by screen printing so that said resin composition forms a pattern, and then on the subsidiary layer formed as a pattern, an ultraviolet-curing resin composition for formation of the print-receiving layer is formed by screen

printing so that the entire surface of the reflective layer is covered.

The text above discloses that one embodiment of the optical recording medium of the invention may be made from a combination of a subsidiary layer having a concave/convex pattern and a print-receiving layer having a concave/convex pattern. Applicants submit that if the optical recording medium may have a subsidiary layer and a print-receiving layer each of which may independently have a concave/convex pattern, then an optical recording medium having a pattern including both concaves and convexes is implicitly described in the specification as originally filed

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In the Office Action of October 7, 2006, the Office objected to Fig. 3C as not supported in the disclosure as originally filed. As discussed above in detail, Applicants have shown that the priority documents, incorporated by reference in the present specification, include an embodiment where both concaves and convexes are present. Therefore, Fig. 3C is supported by the specification as originally filed. Applicants request withdrawal of the rejection.

Applicants note that Figs. 2A-2C, added in the parent application (U.S. 09/842,139), were added to the present specification as Figs. 2A-2C in the amendment of July 14, 2005. Figure 3 of the parent application 09/842,139 pertains to an embodiment of the invention where different colored areas of resin are present and has not been added here. The addition of Figures 4A and 4B adds the figures the priority document JP 2000-189192 to the present specification.

Figures 3A-3E have been amended to change the identifier "second layer" to "subsidiary layer". Support for the amendment is found on page 6, lines 9-11.

Figures 4A-B and 5A-B of the priority documents have been added.

Applicants submit that any objections to the figures are addressed by the new and/or amended drawings submitted herewith, or the arguments above.

With respect to the Office's rejection of Claim 8 under 35 U.S.C. §112, 2nd paragraph, Applicants note that the claim has been amended to recite "concaves/convexes" in place of "concaves and convexes." The height difference of Claim 8 is the height difference representing (i) the height of the concaves when only concaves are present, (ii) the depth of the convexes when only convexes are present, or (iii) the difference in height and depth when both concaves and convexes are present.

Applicants submit the amendment to the drawings, specification and claims of the above-identified application place all claims in condition for allowance. Applicants request withdrawal of the rejections and the allowance of all now-pending claims.

Respectfully submitted,

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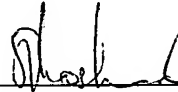
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